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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9  
10 UNITED STATES OF AMERICA, )  
11 Plaintiff, ) No. CR07-253-SBA  
12 v. ) STIPULATION AND ORDER TO  
13 EVERETT ROBINSON, ) ADD MATTER TO CALENDAR AND  
14 Defendant. ) FOR EXCLUSION OF TIME  
15 \_\_\_\_\_)

16 Defendant Everett Robinson was scheduled to appear in court on November 27, 2007. He was  
17 in custody on that date and was not brought to court. The parties therefore stipulate and agree that  
18 Mr. Robinson's case should be added to the Court's calendar on December 18, 2007, at 11:00 a.m.  
19 for change of plea. The parties further stipulate and agree that the time between November 27, 2007  
20 and December 11, 2007, should be excluded from calculations under the Speedy Trial Act, 18  
21 U.S.C. §3161(h)(8)(A) and (B)(iv). Mr. Robinson was not available on November 27, and  
22 December 18, 2007, is the next date upon which defendant and his counsel are both available. In  
23 addition, defendant requires this brief additional time to complete outstanding investigation into his  
24 case.

25 For these reasons, the parties request that the Court order that this period of time should be  
26 excluded under the Speedy Trial Act, 18 U.S.C. §3161 (h)(8)(A) and (B)(iv), because the

1 continuance is necessary to provide defendant with continuity of counsel and with the reasonable  
2 time necessary for effective preparation, taking into account the exercise of due diligence.

3 SO STIPULATED.

4 Dated: Dec. 10, 2007

/S/

5 CHINHAYI COLEMAN  
Assistant United States Attorney

6 SO STIPULATED.

7 Dated: Dec. 10, 2007

/S/

8 HILARY A. FOX  
9 Attorney for Defendant ROBINSON

10 I hereby attest that I have on file all holograph signatures for any signatures indicated by  
a "conformed" signature (/S/) within this e-filed document.

11

12 **ORDER**

13 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the ORDER  
14 of this Court that the above-captioned matter be added to the Court's calendar for December 18,  
15 2007, at 10:30 a.m. for change of plea.

16 Based on the reasons provided in the stipulation of the parties above, the Court hereby FINDS  
17 that the ends of justice served by granting the continuance outweigh the best interests of the public  
18 and the defendant in a speedy trial, and that the failure to continue the matter would deny defendant  
19 Robinson continuity of counsel and the reasonable time necessary for effective preparation, taking  
20 into account the exercise of due diligence. See 18 U.S.C. §3161(h)(8)(A) & (B)(iv).

21 Based on these findings, IT IS HEREBY ORDERED THAT the time from December 11  
22 through December 18, 2007, shall be excluded for purposes of the Speedy Trial Act, 18 U.S.C.  
23 §3161(h)(8)(A) and (B)(iv).

24 Dated: Dec. 11, 2007

25   
26 SAUNDRA BROWN ARMSTRONG  
United States District Court